IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATIONWIDE MUTUAL INSURANCE

COMPANY : CIVIL ACTION

Plaintiff, :

NO. 20-4972-JMY

V. :

:

DAVID RANDALL ASSOCIATES, INC.

et al.

Defendants.

ORDER

AND NOW, this 30th day of September, 2022, upon consideration of Plaintiff Nationwide Mutual Insurance Company's ("Nationwide") Motion for Summary Judgment (ECF No. 20), Plaintiff's Motion to Certify Class (ECF No. 21), and Defendant City Select Auto Sales, Inc.'s ("City Select") Motion for Summary Judgment (ECF No. 22), all papers filed in support thereof and in opposition thereto, and for the reasons set forth in the accompanying Memorandum filed by the Court, it is hereby **ORDERED** as follows:

- 1. Plaintiff Nationwide's Motion to Certify Class (ECF No. 21) is **GRANTED**.
- 2. Plaintiff Nationwide's Motion for Summary Judgment (ECF No. 20) is **GRANTED**.
- 3. Defendant City Select's Motion for Summary Judgment (ECF No. 22) is **DENIED**.

It is **FURTHER ORDERED** that Defendant City Select's Motion to Dismiss for Lack of Jurisdiction or to Stay (ECF No. 5) is **DENIED**.

THIS ACTION IS DISMISSED WITH PREJUDICE. The Clerk of Court shall mark this matter CLOSED.

IT IS SO ORDERED.

BY THE COURT:

/s/ John Milton Younge
JUDGE JOHN MILTON YOUNGE